

REMARKS

Claims 1, 3-6, 8-22, and 24-26 are currently pending in the present application. We are pleased to inform you that Claims 1, 3-6 and 8-21 are allowed. Claims 22 and 24-26 are rejected under 35 U.S.C. §112 first paragraph.

Regarding the rejection of Claims 22 and 24-26, the Examiner states that the claims fail to comply with the written description requirement. Specifically, the Examiner contends that a “software program stored on a storage medium to implement the method” was not described or mentioned throughout the specification at the time the application was filed.

MPEP §2163(I)(B) states: “The fundamental inquiry is whether the specification conveys with reasonable clarity to those skilled in the art that, as of the filing date sought, applicant was in possession of the invention as now claimed. See e.g., *Vas-Cath, Inc.* 935 F.2d at 1563-64, 19 USPQ2d at 1117. Furthermore, §2163.02 states “Possession may be shown in a variety of ways including description of an actual reduction to practice, or by showing that the invention was “ready for patenting” such as by the disclosure of drawings or structural formula that show that the invention was complete, or by describing distinguishing identifying characteristics sufficient to show that the applicant was in possession of claimed invention. The subject matter of the claim need not be described literally (i.e., using the same terms or in haec verba) in order for the disclosure to satisfy the description requirement.”

A software program stored on a storage medium may not be described literally, however, Figure 1 is a flow chart for a method of controlling a wireless communication device; Figure 2 is a flow chart illustrating the specific steps required to connect a mobile telephone with a printer. A skilled artisan in the art would agree that a mobile telephone and a printer necessarily include some form of software. Second, a flow chart is generally used in the software art to show how a certain algorithm is implemented. Lastly, detailed description of the operations illustrated in Figures 1 and 2 are found in the specification on page 4, line 10-page 6, line 8. Therefore, the disclosure satisfies the requirements set forth in the MPEP. Accordingly, withdrawal of the rejection is requested.

Therefore, in view of the preceding remarks, it is respectfully submitted that all of the claims pending in the Application, namely, Claims 1, 3-6, 8-22 and 24-26 are believed to be in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicants' attorney at the number given below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Paul J. Farrell", is written over a horizontal line.

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